Appln No. 09/846,871
Response dated March 19, 2004

Claim 12 (currently amended): The wireless mobile device of claim 11, further comprising object classes enabling exchange of data between said wireless mobile device and a computing device over a network, wherein said data is formatted in accordance with definitions within said text file.

Claim 13 (currently amended): A wireless mobile device comprising:

a processor;

computer readable memory in communication with said processor, storing software adapting said device to:

receive a representation of a text file defining:

a format of a user interface for an application executing at a remote computing device, at said wireless mobile device;

a format of network messages for exchange of data generated by said application;

a format for storing data related to said application at said wireless mobile device;

receive data from said application in accordance with said format of network ~~transactions~~messages, and presenting said data at said wireless mobile device using said user interface.

REMARKS

Claims 1 to 13 are pending.

The specification has been amended to replace reference to Appendix "A", with reference to FIGS. 16A-16JJ.

The Examiner has requested the drawings be amended to include a "format of user interface", a "format of network messages", a "format for storing data", and a "format of network transactions". Here, it is respectfully submitted that 37 C.F.R. 1.83(a) requires that every feature of the invention specified in the claims be depicted in

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the figures. As claimed, a method includes receiving at the wireless device a representation of a <u>text file</u> defining a format of a user interface . . . a format of network messages . . . and a format for storing data. Thus, as claimed the method step includes receipt of a text file having the portions defining formats. Thus, 37 C.F.R. 1.83 at most requires depiction of the claimed text file. Here, FIG. 4 clearly illustrates an exemplary application definition file (in text), including sections defining the formats as claimed. This, it is submitted, complies with the requirements of 37 C.F.R. 1.83. Withdrawal of the objection to the drawings is therefore earnestly solicited.

The Examiner has rejected pending Claims 1-13 as not complying with the written description requirement of 35 U.S.C. 112 ¶1. With respect, the Examiner is directed to the guidance provided by the Manual of Patenting Examining Practice (M.P.E.P.) 2163 (2):

> The Examiner has the initial burden after a thorough reading and evaluation of the content of the application of presenting evidence or reasons why a person skilled in the art would not recognize that the written description of the invention provides support for the claims. **<u>There is a strong presumption that an adequate written description of the claimed invention is present in the specification as filed</u>** . . . . Consequently, rejection of an original claim for lack of written description should be rare. [EMPHASIS ADDED]

Further, there is no requirement that claim language be used *ipsis verbis* in the remainder of the disclosure.

Here, the Examiner has requested the Applicants to explain what comprises the different formats of Claim 1. This, it is submitted, is an insufficient assertion of why the claimed invention does not comply with the requirements of 35 U.S.C. 112 ¶1, as required by M.P.E.P. 2163.

Moreover, the Detailed Description, Summary, and Figures are replete with references and descriptions of suitable text files defining the formats of user interfaces, network messages, and storing data as claimed. Specifically, FIG. 4 depicts an XML application definition file that may be conveyed to a mobile device. As illustrated, the

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example application definition file is an XML (text) file defining the format of screen or screens of the application and how the user interacts with them (e.g.. a user interface for the application); a network transactions definition section 50 defining the format of data to be exchanged with the application; and a local data definition section 52 defining the format of data to be stored locally on the mobile device. More specifically, examples of the formation of the XML application file are detailed on paragraphs [0049]-[0076] of the application. How the text file is processed at the mobile device is also detailed throughout the application. Moreover, how the definition file is parsed into a screen at the device is detailed in FIGS. 8 and 9 and described in paragraphs [0095] to [0098] of the application as filed.

In view of the foregoing, it is respectfully submitted that a person of ordinary skill would readily appreciate that the invention as now claimed was in possession of the Applicants at the time the application was filed, and that the pending claims satisfy the written description requirement of 35 U.S.C. 112 ¶1.

Claims 1 to 6 and 13 have further been rejected under 35 U.S.C. 112 ¶1 as failing to comply with the enablement requirement. Here, the Examiner suggests that a person of ordinary skill would not readily appreciate how a text message detailing "a format of network transactions" may be formed with reference to the specification. The Applicants' Agent respectfully draws the Examiner's attention to FIGS. 2 and 4, element 50, and the accompanying description found in paragraphs [0049] through [0066] of the application as filed. Formation of example messages adhering to this format is described at paragraph [0105] to [0110]. Another similar example of the format of a network transaction message is found at paragraphs [0116] to [0119]. Again, here, it is respectfully submitted that a person of ordinary skill could readily follow the guidance of the detailed description in order to make and use embodiments of the invention as claimed. Thus, it is respectfully submitted that claims 1 to 6 and 13 meet the enablement requirements of 35 USC 112 ¶1. In view of the foregoing, withdrawal of the rejection of Claims 1 to 6 and 13 are respectfully requested.

Lastly, the Examiner has rejected the pending claims 1-4, 6-7, 9 11-13 under 35 U.S.C. 112 ¶2. Claims 1-3, 6-7, 11-13 have been amended to correct minor

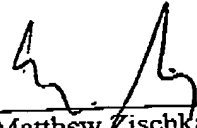Appln No. 09/846,871
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informalities identified by the Examiner. Specifically, claim 1 and claims dependent thereon (i.e., claims 2, 3, and 6) now clearly make reference to said wireless device. RecitalS of "said format of network transactions" in claims 1 and 13 have been amended to recite "said format of network messages", in accordance with line 6 of Claim 1. Claim 7 has similarly been amended to clearly identify a wireless mobile device. Claim 9 has not been amended as said representation of said text file has an antecedent in Claim 8. Claim 13 has been amended to clearly identify "said wireless mobile device" in accordance with the antecedent provident in claim 13, line 1. It is believed that Claims 1 to 13 as now presented comply with 35 U.S.C. 112 ¶2.

It is now believed that the pending claims are in condition for allowance.

In view of the foregoing, favourable reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

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